
Appeal Decision

Site visit made on 10 July 2017

by Daniel Hartley BA Hons MTP MBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14 July 2017

Appeal Ref: APP/Z3635/Z/17/3173169

Land adjacent to Sunbury Shopping Centre, Staines Road, West Sunbury on Thames

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr Alex Brouwer (Threadneedle Pensions Ltd) against the decision of Spelthorne Borough Council.
 - The application Ref 16/01991/ADV, dated 2 December 2016, was refused by notice dated 23 February 2017.
 - The advertisement proposed is the erection of a single sided digital advertisement display with associated logo box.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the appeal address from the Council's refusal notice and this is more complete than the address on the advertisement consent application form.
3. In response to comments made by Highways England the application was amended part way through its determination to remove the digital display board on the southern elevation. For the avoidance of doubt, I have determined this appeal on the basis of the amended plans.

Main Issues

4. The main issues are the effect of the proposal upon (i) the amenity of the area and (ii) the visual amenity of the occupiers of The View in respect of outlook.

Reasons

Site and proposal

5. The appeal site relates to an area of mainly grassed land to the east of an associated multi-storey building known as The View. This building has recently been converted from offices into apartments in accordance with planning permission Ref PT/14/00629/PDO.
 6. The corner site is located on the southern side of Staines Road. It fronts the Sunbury Cross roundabout and the M3 fly over motorway with its associated slip road located immediately to the east.
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7. It is proposed to erect a 2 sided 17.15 metre high free standing structure with signs of approximately 7.60 metres by 5.10 metres. The proposal was amended prior to a decision being made by the Council in terms of the removal of a digital display board on the southern elevation and its replacement with static artwork. There is an existing and substantially smaller free standing advertisement within the grassed area and the appellant has confirmed that this would be removed in the event that the appeal was to be allowed.

Amenity of the area

8. The proposed advertisement would be positioned in close proximity to the east facing elevation of The View. This is a very tall building (about thirteen floors high) when seen in the context of other buildings in Staines Road West which range in height from three storeys to several storeys in height.
9. The appellant contends that as The View is a high building it would therefore be acceptable to erect an advertisement close to it which measures over 17 metres in height. I agree that when the advertisement is seen against the immediate backdrop of The View it would be proportionate in scale. However, it would not always be seen by passers-by against the backdrop of The View. This would be particularly the case when viewed from parts of Staines Road West and the slip road where it would be seen against development which is of a lesser scale.
10. In the immediate environment, there are many different advertisements including street signs, fascia advertisements at ground floor level and more modestly sized free standing signs such as those associated with the Sunbury Shopping Centre. However, and despite the range of advertisements in the immediate area, they are all generally modest in scale and this ensures that the buildings remain the dominant architectural force in the urban landscape. I consider that when considered in the context of the immediate and surrounding environment the proposed advertisement would appear bulky and very high.
11. The proposed advertisement would be positioned in a grassed area which currently offers some open and green relief to the otherwise very built up area and The View. I acknowledge that the existing advertisement would be removed and in that sense the proposal would essentially have a neutral impact upon the amount of grassed area left. However, it is the sense of openness that is provided by the grassed area that ensures that there is an attractive and soft edge to the highway network and The View. Whilst there is an existing advertisement within this grassed area, it is significantly smaller in scale and hence is not conspicuous or dominant when passing by. Owing to the position, bulk and size of the advertisement, I consider that it would have a significantly detrimental impact upon the site's aforementioned positive visual attributes. Overall, the proposed advertisement would appear discordant and dominant in the street-scene.
12. For the reasons outlined above, I conclude that the proposal would have a significantly detrimental impact upon the visual amenity of the area.

Amenity of the occupiers of The View

13. Whilst no digital screen would face directly towards the windows of the apartments belonging to The View, the advertisement as a whole would be positioned about eight metres from the nearest windows. Taking into account

the height and bulk of the advertisement, I consider that it would have an unacceptably enclosing and dominating impact upon the occupiers of the apartments in The View.

14. The appellant has stated that the outlook enjoyed by the occupiers of these apartments already includes a fly over and a roundabout and hence the proposal would not have a much greater impact than exists now. However, the fly over and the roundabout are further away than the proposed advertisement. I acknowledge that the outlook from The View towards the fly over and the roundabout could be better, but there is no doubt that the siting of the advertisement would make a less than acceptable situation much worse.
15. For the above reasons, I conclude that in terms of outlook the proposal would have a significantly adverse effect upon visual amenity of the occupiers of The View.

Other Matters

16. The appellant has referred me to an appeal which was allowed on 19 October 2016 for 2 internally illuminated poster display units each measuring 7.5 m x 5.0 m with an overall height of 15.3 m at Land at Howarth Road, Sunbury-on-Thames (Appeal Ref APP/Z3635/H/06/1199191). I do not consider that this is directly comparable to the appeal proposal in so far that it is positioned in a different urban landscape, is lower in height than the appeal proposal and was designed to complement the adjacent hotel. I do not consider that the proposed advertisement would be seen as complementing The View and I have found, taking into account the character and appearance of the locality, that the proposal would cause harm to the occupiers of The View and to the visual amenity of the area.
17. I have taken into account representations made by other interested parties and the comments made have been addressed in the reasoning above.
18. None of the other matters raised outweigh or alter my conclusions on the main issues.

Conclusion

19. For the reasons outlined above, and taking into account all other matters raised, the proposal would have a significantly detrimental impact upon the amenity of the area and the occupiers of The View. Therefore, the appeal is dismissed.

Daniel Hartley

INSPECTOR